

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

VS.

MONTRAY PATTON,

Defendant.

4:21CR3084

ORDER

At the conclusion of the hearing held on March 25, 2022, I stated my conclusions on the record and my decision to recommend that the motion to suppress be denied. In accordance with that announcement,

IT IS RECOMMENDED to the Honorable John M. Gerrard, United States District Judge, that the motion to suppress, (Filing No. 21), be denied in all respects.

FURTHER, IT HEREBY IS ORDERED,

1. The clerk shall cause a transcript of the hearing to be prepared and filed.
2. Counsel are given fourteen (14) days from the date the transcript is available to counsel for reading in the clerk's office in which to file objections to this recommendation. The parties are notified that failure to object may be deemed a waiver of the right to appeal the district judge's adoption of the recommendation.
3. Trial of this case is set to commence before the Honorable John M. Gerrard, United States District Judge, in Courtroom 1, United States Courthouse, Lincoln, Nebraska, at 9:00 a.m. on July 11, 2022, or as soon thereafter as the case may be called, for a duration of three (3) trial days. Jury selection will be held at commencement of trial.

- 4) The ends of justice served by allowing the parties additional time to prepare for trial outweigh the interests of the public and the defendant in a speedy trial, and the additional time arising as a result of the granting of the motion, the time between today's date and July 11, 2022, shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, because although counsel have been duly diligent, additional time is needed to adequately prepare this case for trial and failing to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(1) & (h)(7). Failing to timely object to this order as provided under this court's local rules will be deemed a waiver of any right to later claim the time should not have been excluded under the Speedy Trial Act.

March 28, 2022.

BY THE COURT:
s/ Cheryl R. Zwart
United States Magistrate Judge